

Valley Center Community Planning Group

Minutes for the Regular Meeting of November 30, 2009

Chairman: Oliver Smith Vice Chairman: Ann Quinley Secretary: Christine Lewis

7:00 pm at the Valley Center Community Hall; 28246 Lilac Road, Valley Center CA 92082

A=Absent Ab=Abstain A/I=Agenda Item BOS=Board of Supervisors DPLU=Department of Planning and Land Use IAW=In Accordance
With N=Nay P=Present SC=Subcommittee TBD=To Be Determined VCCPG=Valley Center Community Planning Group Y=Yea

Forwarded to Members for Review: December 4, 2009

Approved:

1.		Call to Order, Quorum and Pledge of Allegiance:									07:05 PM			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
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P	-	P	P	P	P	P	P	A	P	P	P	P	-	P

Appendices to these Minutes: Attachment to Agenda item 4 – Motion from the SC with background information and reasons for the motion.

Total Number of Pages Comprising this Report: 24 pages)

Pledge of Allegiance

Quorum Established: 12		Yes (X)	No ()
2.	Approval of Minutes:		
3.	Open Forum:		
a)	Larry Glavinic- Commented on safe roads. Valley Center needs safer roads, less dead end roads, more connectivity.		
b)	TAC Meeting December 11, 2009 9:00 a.m. at the Sheriff's Dept. 9621 Ridge Haven Court, San Diego – They will be discussing the speed limit on Valley Center Road. They have done a traffic study already.		
4.	Action Item (VCCPG advisory is to be taken on the following item) PAA 09-007		

Notes: Presentation by the proponent: Randy Goodson. Stated that the available space left for development in San Diego County is only Ramona, Valley Center, Bonsall and Fallbrook areas. This is after one removes land that is incorporated, public lands, MSCP land and conservation corridors. Discussed his beliefs about the project. He believes that it promotes conservation, reduces carbon emissions, and develops farm land that was losing money. He wants to have as many meetings as it takes to get people to go along with the project.

His goals are to present 'options' to the community, would build roads in the project area only, would have an onsite 'green' recycling center, and storm water capture ponds. He envisions a 'walkable' community. The project would contribute to the schools and a new fire station.

Oliver Smith – Summarized the SC's work. They have provided a report to the PG with the motion. See attachment to the minutes.

Deb Hoffer – What other developments has the proponent done? San Elijo Hills. Helped Otay revamp their community plan after acquiring 5000 acres of land. This change resulted in 24,000 additional homes now called Eastlake. San Elijo Hill's was originally zoned for 1800 to 6900(?) homes. It ended up with 3465 homes and a large commercial area.

Brian Weaver – Not against planned development but is questioning whether it is an appropriate place to develop an urban community.

Smith – What does Valley Center get from this? All of the building benefits the development only. The East/West road will end at West Lilac and result in improved evacuation for the development only.

There is no benefit to V.C. unless the road is built to Cole Grade and it may even DELAY evacuation for the rest of V.C. because the road will be jammed with the new residents of the development.

Other PAA's have talked with the Water District, Fire Dept. etc... as part of their preliminary findings BEFORE submitting their PAA. Why has Accretive not done this? In order to put in the necessary infrastructure and pay for it – is 1746 homes enough? Their preliminary study indicated that it would

take approx. 3000 homes to pay for the 2 mile road that needs to be built.

Motion: The VCCPG recommends denial of Accretive Investments PAA 09-007 which would authorize the filing of General and Community Plan Amendments to create a Specific Plan Area (SPA) for a new village of 1,746 homes on 416 acres in the westernmost portion of the Valley Center Community Planning Area. Made by Smith/Quinley

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A N D E R S O N	V A C A N T N	H O F L E R	V I C K	B R I T S C H	R O B E R T S O N	Q U I N L E Y	M O N T R O S S	L E W I S	H E R I G S T A D	S M I T H	W E A V E R	R U D O L F	V A C A N T	B A C H M A N
Y	-	Y	Y	AB	Y	Y	Y	A	Y	Y	Y	Y	-	Y

Motion Passes: 11 – 0 – 1 Hans Britsch recuses himself due to the proximity of this project to his property.

5.	Motion to Adjourn:	
	By prior consent:	Meeting Adjourned 10:00 PM

Notes:

Proposed Next Regular Meeting: December 14, 2009

Valley Center Community Planning Group

PO Box 127 Valley Center CA 92082; www.vccpg.org



Oliver Smith
Chair

Ann Quinley
Vice Chair

Christine Lewis
Secretary

Dave Anderson

Brian Bachman

Hans Britsch

Paul Herigstad

Deb Hofler

David Montross

Keith Robertson

Rich Rudolf

Jon Vick

Brian Weaver

Pending
Robert Davis

Vacant
1 seat

San Diego County Department of Planning and Land Use
5201 Ruffin Rd, Suite B
San Diego, Ca. 92123
Attn: Director Eric Gibson

Director Gibson,

The Valley Center Community Planning Group met on November 30, 2009 to consider Accretive Investments' Plan Amendment Authorization (PAA 09-007). This application seeks authorization from the County Department of Planning and Land Use to proceed with an application to amend the San Diego County General Plan and the Valley Center Community Plan.

Filed by Accretive Investments on November 2, 2009, PAA 09-007 proposes the following amendments to the existing San Diego General Plan and the existing Valley Center Community Plan:

1. Changing the existing Regional Land Use Category from Estate Development Area (EDA) to Current Urban Development Area (CUDA).
2. Changing the existing Land Use Designation from Estate Residential (which allows 1 dwelling unit per 2 or 4 acres) to (21) Specific Plan Area with an appropriate density designator. The Applicant is requesting 4.3 dwelling units per acre averaged over the 416 acres of the development, resulting in a total of 1,746 dwelling units.
3. Adding Neighborhood Commercial to the area.

The VCCPG use the review criteria cited in DPLU document #259 "Plan Amendment Authorization Request Procedure" (refer to Appendix A) as the basis for making a recommendation.

MOTION: The Valley Center Community Planning Group recommends denial of Accretive Investments PAA 09-007 which would authorize the filing of General and Community Plan Amendments to create a Specific Plan Area (SPA) for a new village of 1,746 homes on 416 acres in the westernmost portion of the Valley Center Community Planning Area.

The VCCPG voted 11-0-1 in favor of the motion. VCCPG member Hans Britsche recused himself from the deliberations and vote due to the proximity of the project to his property. VCCPG member Christine Lewis was absent.

The recommendation for denial is based on the finding that the PAA does not satisfy DPLU Review Criteria. The following pages are the detailed rationale used in making the recommendation decision, with appendices showing supporting factual information and written responses submitted from the public.

Respectfully,

Oliver Smith
Chair, Valley Center Community Planning Group

Rationale for Motion to Recommend Denial of PAA 09-007

Approval Criterion 1: Consistency with existing and planned land uses in the vicinity and in the community.

PAA 09-007 is not consistent with existing or planned land uses in this area. Neither does it conform to goals and policies of the existing General Plan or the Valley Center Community Plan.

1. Inconsistent with Land Use Designations. Village Commercial and Village Residential intensity on this property is inconsistent with existing Estate Residential as well as with planned Rural and Semi-Rural regional categories. In fact, this area of active agriculture and what remains of Valley Center's natural vegetation has been designated in the General Plan Update for LESS intense development than the current GP. The Draft Land Use Map which is the community's recommendation, designates the western portion of this property Rural Lands (1DU:10 acres and the remainder Semi-Rural (1DU:4, 8, 16 acres) depending on slope. The PAA proposes 1,746 dwellings on acreage designated for fewer than 250 homes.

2. Incompatible with surrounding properties



(Picture presented to VCCPG subcommittee by Floann Sannipoli at 18Nov09 meeting)

The PAA proposes an island of urban Village development on lands that have been purposefully designated Rural and Semi-Rural in accord with the GPU Community Development Model to reflect, as this photo of the area illustrates, generally rugged topography, proximity to wetlands and sensitive habitat, and current agricultural uses on large parcels. Minimum lot sizes would be reduced from the current 2-acres and from the planned 4-16 acres to an **average** of 4.3 DUS per acre, less than ¼ acre. Ten-percent of the units will be built at 10DUS per acre.

3. Inconsistent Village Expansion. The proposal is inconsistent with current and future goals and policies for Village expansion. The land contained within PAA 09-007 is located far north of the existing Current Urban Development Area (CUDA), many miles from any existing or planned Village area, and a considerable distance from SANDAG's Transit Priority Area (refer to Appendix D).

4. Inconsistent Commercial Development. PAA 09-007 proposes commercial development in areas that are currently rural and agricultural in defiance of the community's intention to intensify commercial, office, and industrial development in the central valley where these uses already exist; where Town Center has been planned for many years; where the County has just made a \$50 Million investment in widening the major road and within closer proximity to schools, public recreational facilities, churches, shopping areas and smaller parceled residential neighborhoods.

5. Inconsistent with GP Land Use Goals. PAA 09-007 proposes urban development for an otherwise rural area while the Land Use Element states that the rural character of non-urban lands should be retained.

Approval Criterion 2: Availability of adequate infrastructure commensurate with the project needs.

PAA 09-007 proposes urban development in an area remote from existing infrastructure.

A maxim of Smart Growth and sustainable development is to locate homes close to existing infrastructure – roads and transit, jobs, shopping, schools, churches, and public facilities. Despite its geographical proximity to Old Highway 395 and the I-15, the area that this PAA comprises is a remote and sparsely developed part of Valley Center. There is little or no existing infrastructure in this area.

1. Jobs/Housing Imbalance:

The number and types of jobs made available by small scale commercial development, or any retail commercial, will not provide incomes adequate for the mortgage payments to sustain the community. Residents of this bedroom community will be driving to work, driving to obtain basic goods and services, and driving their kids to schools and athletic activities

2. Distant Schools, Public Places, and Shopping:

The library, high school, middle school and athletic fields and facilities are located in or near the Valley Center's planned North and South Villages. The proposed development will likely increase traffic from the west into Valley Center when children are transported to and from schools and activities located in the heart of the town.

3. Roads and Circulation:

There is no public transportation, only a proximity to I-15 which is already overburdened.

Existing access to the site from Old 395 is via West Lilac and Circle R Roads. To Valley Center schools, athletic fields, public facilities, churches and shopping areas – some 12 miles away -- access is via West Lilac and Circle R Roads to Lilac Road into town. Residents of this community would likely use Old 395 and the I-15 for transportation to work and shopping. All of these roads will require very substantial improvements to accommodate ADTs that will be generated by 1746 new homes.

LOS maps presented by the developer include a new 4-lane road from the proposed site, road segment 3A, which would be necessary to accommodate traffic generated by the new Village, but is unnecessary for the community's existing and planned development. This relatively short road segment is of no value to the Valley Center -- except as access to this development – unless it connects all the way to Cole Grade Road. The VCCPG has voted several times to remove this road segment from the Mobility Element; contrary to claims that the road has been on the map since the 1960s, research into its history shows that this is not the case.

4. Sewer Service Unavailable:

There is no existing or planned sewer service in rural and semi-rural areas of Valley Center, and no current available capacity at the Moosa Treatment plant to the south. The Moosa Treatment Plant would have to be expanded with treatment quality upgraded to tertiary. Despite this possibility, there is not now nor will there be additional disposal capacity for the 450,000 gallons of effluent per day. The applicant has NO LAND for this.

The California Regional Water Control Board (CRWQCB) requires 84 days of wet-weather storage for treated effluent in winter when irrigation is not permitted; between 10-13 acres of storage ponds (depending on their depth) will be required. In addition, between 126-168 acres of spray fields would be needed in perpetuity to dispose of the treated effluent after wet weather ceases. This land must be permanently dedicated to wastewater disposal; it could never be sold.

For environmental reasons the applicant could not obtain an NPDES discharge permit from the CRWQB to dispose of treated wastewater in the creeks to the west and south of the proposed development.

5. Water Supply Restriction

There is no assurance that water would be available to meet the needs of the project even though the property is located within the Valley Center Municipal Water District's (VCMWD) service area. Effective July 1, 2009 the VCMWD declared "Water Supply Shortage Response Level 2 – Water Supply Shortage Alert Condition. This is a "no net gain" water policy for development that limits service to the level of uninterrupted water used now on property owned by the applicant (not property that is optioned by the applicant.)

6. No Natural Gas Service

According to Sempra Energy representative Sabra Moellem there is no natural gas service east of I-15, west of Lilac Road, and north of Old Castle near Circle R and Castle Creek Resort. The closest service Sempra provides is about 5 miles east, 6 miles west, and 4 miles southwest of the PAA properties.

Approval Criterion 3: Whether Known Site Constraint Factors make the request inconsistent with environmental conservation goals and programs.

The VCCPG found that PAA 09-007 threatens environmental conservation goals and programs.

1. Wildlife corridors and habitats, some of Valley Center's last remaining environmental treasures, are located adjacent to and partially within the applicant's property. Existing and planned low-density in the area supports varied agriculture and natural vegetation, and the protection of gullies and seasonal streams, and year-round water sources (farm ponds). The natural resources and habitats would be impacted by the noise, polluted run-off from asphalt and hard surfaces, increased night-time light level, and human and vehicular activity endemic to an urban environment.
2. At present there is a narrow band of Pre-Approved Mitigation Area (PAMA) land along the I-15 with low semi-rural and rural densities planned for properties to the immediate east which remain in large parcels. Development at Village intensities here would quickly vacate the small amount of hilly, creek-crossed viable habitat that remains in this sensitive area.

Additional VCCPG Comments:

The Valley Center community has never asked for density to be shifted from the North and South Villages to another location -- contrary to claims in Mr. Scanga's letter to Eric Gibson dated November 2, 2009 (refer to Appendix C highlighted areas) The VCCPG has worked with property owners and the County staff during the GPU process to better coordinate planned land use capacity with mobility capacity and thus "right size" development planned for these areas. It has never been suggested by the community or the county that it would be appropriate to build a West Village or to up-zone property in this region. To the contrary, the GPU shows reduced density in this area.

Approval Criterion 4: Consistency with the Board of Supervisors endorsed GPU Guiding Principles

The VCCPG found that PAA 09-007 is inconsistent with the General Plan Update Guiding Principles

Ten Guiding Principles for the General Plan Update (refer to Appendix B) have been endorsed by the Board of Supervisors. They are meant to direct the General Plan Update and future development within San Diego County. The proposed PAA is not consistent with these principles as noted below.

1. Support a reasonable share of projected regional population growth.

The County and Community land use maps achieve this goal without the addition of this project. Further regional targets are countywide, not community specific. Valley Center is not required to take a certain amount of population, only the county as a whole.

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That said, the Board of Supervisors early in the GPU process did approve a projected population for Valley Center of 33,000. All of the GPU land use alternative maps for Valley Center, even the Environmentally Superior Map, accommodate this number. Further, all four land use maps allocate a substantial share of regional population growth to Valley Center. The community has invested the better part of ten years on a Smart Growth plan to realize the compact, vibrant Town Center that has been planned for the heart of town for the last thirty years. In these ten years of planning, during which the community has also worked with developer-property owners of North and South Village properties in the central valley, a third Village on the rural west side of Valley Center has never been desired or included in the plans. This would invalidate more than a decade of work by the community and the County on the General Plan Update and its related Environmental Impact Report.

2. Promote health and sustainability by locating new growth development near existing and planned infrastructure, services, and jobs in a compact pattern of development.

The PAA is proposed for property in a rural area of Valley Center away from employment centers and public transit, as well as schools, sewers, public facilities, shopping and other infrastructure. The only existing "infrastructure" is the I-15 which, with the construction of additional 4-lane access roads, would allow residents to commute on the already over-taxed freeway into San Diego and surrounding communities. Other infrastructure issues are discussed above in the discussion for Criteria 1.

A bedroom community that features drought-tolerant landscaping and interior trails adjacent to the freeway is insufficient to qualify as "sustainable development." Placed in its regional context, urban development in this rural area violates sustainability's most basic objectives which include: promoting infill development; restoring existing urban and town centers; limiting non-contiguous (leapfrog) development; conserving prime agricultural lands; using open space to define urban boundaries; conserving natural habitat; encouraging a jobs/housing balance; and providing fair and predictable land use planning. (Refer to Appendix E.)

3. Reinforce the vitality, local economy, and individual character of existing communities when planning new housing, employment, and recreational opportunities.

This PAA proposes not to reinforce but to undermine development patterns that have been established for more than a hundred years in Valley Center and have been more deeply etched beginning in the 1970s with each new edition of the town's official Community Plan. Most Valley Center businesses, schools, playing fields, public agencies, public meeting facilities, churches, and recreational facilities are located in the community's central valley -- along or near Valley Center Road. It is here that Town Center development has long been anticipated, as evidenced by the County's \$50 Million investment in highway infrastructure to improve access to and through this area. The PAA proposes catastrophic transformation of large rural parcels to create a New Urbanist enclave on the hilly countryside next to the freeway, which is as far away from Valley Center's historic character and genuine vitality as a development plan could be.

4. Promote environmental stewardship that protects the range of natural resources and habitats that uniquely define the County's character and ecological importance.

The GPU Land Use Maps for Valley Center were developed with this principle in mind and the intention to concentrate compact Village development in the central valley area where these uses already exist, and to protect the rural western hilly and creek-crossed areas that abut sensitive PAMA habitat along the I-15. This PAA seeks to undermine this principle and overturn the community's intentions.

5. Ensure that development accounts for physical constraints and the natural hazards of the land.

The PAA proposes an island of unnecessary dense Village development in the middle of a rural area characterized by rolling and often steep topography and natural creeks.

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6. **Provide and Support a multi-modal transportation network that enhances connectivity and supports community development patterns and where appropriate plan for development which support public transportation.**

As previously noted there is a complete absence of public transportation. The site is many miles outside SANDAG's Transit Priority Area (refer to Appendix D), and greatly undermines development patterns that have been established in Valley Center. The impact will fall on Valley Center Roads and on 1-15 where there are no plans for extending north of Route 78 the HOV lanes and express buses.

7. **Maintain environmentally sustainable communities and reduce greenhouse gas emissions that contribute to climate change.**

The proposed PAA does not meet the criteria for sustainable growth or for a sustainable community and stands to increase rather than reduce green house gases. Village residential development here will create yet another jobless bedroom community. Residents will commute to south, north and west to work, and their children will commute into Valley Center proper for schools and athletic practices and events increasing traffic on I-15, on Highways 395 and 78, and on Valley Center's interior roads. Two-directional commuting will increase, not decrease, greenhouse emissions.

8. **Preserve agriculture as an integral component of the region's economy, character, and open space network.**

70% of the property is currently in agriculture which will be destroyed by intense urban development. This rural farmland has good field drainage, optimal microclimate year-round with winter temperatures rarely below 32 degrees F. and down-slope airflow, which prevents freezing, plus the absence of air pollution - all of these support viable agriculture..

9. **Minimize public costs of infrastructure and services and correlate their timing with new development.**

Traffic modeling that accompanies this PAA shows that Old Highway 395 is widened to 4 lanes both North and South of I-15. . Further, 1,746 new homes will generate many more ADTs on local country roads from this location into central valley schools and public facilities. Who will pay for these extensive, and expensive, road improvements? The County has just completed a \$50 Million public investment to improve Valley Center Road to a four lane major road. Additional road improvements to mobility and local public roads in the heart of town are expected to be financed by development that has been planned in this area for the last 30 years, to include TIF fees. We are concerned that TIF fees from the community could be used. The Valley Center Community Planning Group would oppose the use of TIF fees for road improvements in this development.

10. **Recognize community and stakeholder interests while striving for consensus.**

Community testimony at the November 30th meeting, multiple VCCPG subcommittee meetings, and several prior VCCPG meetings indicates that many residents of Valley Center and virtually all residents of the area impacted by the PAA are strongly opposed to the urban development it proposes. Current property owners say they have planned their lives, and in many cases their livelihoods based in agriculture around the fact that existing and future General Plans for this remote area of Valley Center show semi-rural and rural land uses. Urban development as a result of a General Plan Amendment to change the Regional Category in this area would destroy their properties and the rural lifestyles the County Plan has forecast. The individuals who have spoken in support of the project have done so on the assumption that its construction would result in little or no growth of the North and South Villages. The size of the North and South Villages are presently well established and would not be additionally reduced by placing 1,746 homes in the west of Valley Center.

APPENDIX A: • DPLU PAA Request Procedure



COUNTY OF SAN DIEGO • DEPARTMENT OF PLANNING AND LAND USE

PLAN AMENDMENT AUTHORIZATION REQUEST PROCEDURE

Any amendment to the County General Plan must be initiated by the Planning Director, the Planning Commission or the Board of Supervisors. All private requests must be filed initially for review by the Planning Director.

Filing

To file the initial request with the Director, the applicant must submit a Plan Amendment Authorization Application requesting consideration of the amendment accompanied by the information specified in the Plan Amendment Authorization Application (DPLU Form #271). Application packages are available at the Zoning Information Counter.

Review Criteria

When reviewing the request, the Director will be evaluating the proposal for:

- Consistency with existing and planned land uses in the vicinity and in the community, including the goals and policies of the Community or Subregional Plan;
- Availability of adequate infrastructure commensurate with the project needs;
- Comments from the Planning or Sponsor Group; and Design Review Board, if applicable
- Known site constraint factors such as, but not limited to, steep slopes, wetlands, or MSCP Biological Resource Core Areas that would make the request inconsistent with environmental conservation goals and programs.

Upon receipt of a complete application, the Director shall immediately notify and solicit comments from the appropriate Planning or Sponsor Group and/or Design Review Board. The Planning or Sponsor Group and the Design Review Board will have 35 days from submittal of the application to submit comments. Comments shall be faxed or sent via electronic mail if the Group's meeting is held close to the end of the 35-day comment period.

Decision

The Director shall make a decision whether to authorize the initiation of the amendment within 45 days of the submittal of the request accompanied by all required information. Should the Director decline to initiate the proposed General Plan amendment, the applicant may present the request for initiation by letter, first to the Planning Commission, and then to the Board of Supervisors, if the Planning Commission declines to authorize the amendment. Requests for PAAs submitted to the Planning Commission and Board of Supervisors must be filed within 10 days of the determination not to initiate the request.



DPLU #259 (07/09)

5201 RUFFIN ROAD, SUITE B, SAN DIEGO, CA 92123-1666 • (858) 565-5981 • (888) 267-8770

APPENDIX B: • BOS Endorsed GP Update Guiding Principles

The San Diego County General Plan Update Guiding Principles are:

- 1) Support a reasonable share of projected regional population growth.
- 2) Promote health and sustainability by locating new growth development near existing and planned infrastructure, services, and jobs in a compact pattern of development.
- 3) Reinforce the vitality, local economy, and individual character of existing communities when planning new while balancing housing, employment, and recreational opportunities.
- 4) Promote environmental stewardship that protects the range of natural resources and habitats that uniquely define the County's character and ecological importance.
- 5) Ensure that development accounts for physical constraints and the natural hazards of the land.
- 6) Provide and support a multi-modal transportation network that enhances connectivity and supports community development patterns and, when appropriate, plan for development which supports public transportation.
- 7) Maintain environmentally sustainable communities and reduce greenhouse gas emissions that contribute to climate change.
- 8) Preserve agriculture as an integral component of the region's economy, character, and open space network.
- 9) Minimize public costs of infrastructure and services and correlate their timing with new development.
- 10) Recognize community and stakeholder interests while striving for consensus.

Downloaded 24Nov09 from:

http://www.sdcounty.ca.gov/dplu/gpupdate/docs/draftgp/ch2_vision.pdf

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APPENDIX C: • PAA 09-007 Submittal Letter

CALTHORPE ASSOCIATES
URBAN DESIGNERS, PLANNERS, ARCHITECTS

November 2, 2009

Mr. Eric Gibson
Department of Planning and Land Use
County of San Diego
5201 Ruffin Road, Suite B
San Diego, CA 92123-1666

RE: VALLEY CENTER SUSTAINABLE COMMUNITY ("VCSC") PLAN AMENDMENT AUTHORIZATION ("PAA")

Dear Mr. Gibson:

We are pleased to provide this documentation on behalf of the applicant and respectfully request that the County of San Diego's Department of Planning and Land Use ("DPLU") grant a Plan Amendment Authorization.

The proposed Valley Center Sustainable Community project, while in the Escondido zip code, lies within the far western boundary of the Valley Center community planning area of unincorporated San Diego County ("County"), and the project would require a General Plan and Community Plan Amendment, as set forth in detail within the accompanying documents.

The methodology in creating this plan first started by mapping out the open space and topographic constraints to identify potential areas for development. A strong circulation pattern was then superimposed, distributing traffic through the project and connecting with the local and regional road network. Further, a series of nodes were located at major intersections of the street grid, anchored by different uses, such as a small retail component, school or civic use. The quarter mile walking sheds, (identified by quarter mile diameter circles) help us establish the location for residential development within walking distance to these nodes and shape the scale of the overall development. The net result of this plan is a comfortable pedestrian scaled development.

The applicant has undergone extensive work within the community to develop this application with the overarching goal of providing reasonable solutions to planned growth in Valley Center. This has included numerous community open houses, small group briefings, and one-on-one meetings. Additionally, several hundred community surveys have been conducted to gather input on where the community intends to focus its growth. In the course of over two years of community outreach, the Valley Center Community Planning Group ("VCCPG") and its subcommittees have expressed concern regarding the General Plan Update ("GPU") and its proposed increases to density in the northern and southern nodes, which constitute downtown Valley Center. The VCCPG and its subcommittees have suggested shifting density out of downtown Valley Center citing increased traffic as a major concern. Traffic modeling, performed by the San Diego Association of Governments ("SANDAG") in July of 2008 for the County of San Diego's GPU Draft

2095 ROSE STREET, SUITE 201 BERKELEY, CA 94709 USA 510 548-6800 TEL 510 548-6848 FAX WWW.CALTHORPE.COM
PETER CALTHORPE DEHAN GLANZ TIMOTHY ROOD JOSEPH SCANGA

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CALTHORPE ASSOCIATES

URBAN DESIGNERS, PLANNERS, ARCHITECTS

Environmental Impact Report ("DEIR") indicates significant increases to traffic and failing Levels of Service ("LOS") in downtown Valley Center. This is shown on Table 2.15-20 of the DEIR.

In August of 2009, the applicant contracted with SANDAG to perform traffic modeling on a range of alternative land use distributions. These alternatives utilized the community concept of shifting density from the northern and southern nodes. The results provided by SANDAG indicate that a shift of proposed residential and commercial density to a western node near I-15 at Old Highway 395 along proposed Mobility Element Road 3 would create acceptable LOS in downtown Valley Center.

In addition to improving the LOS on Mobility Element Roads and balancing the road network with the land use distribution, this PAA would address several other areas of concern as well, including:

1. Compliance with AB 32 and SB 375, as detailed in the application;
2. Community opposition to locating higher density future housing in the northern and southern nodes;
3. Improved ingress and egress routes, especially in the event of a wildland fire.

The suggested land use modification for Valley Center and the attached traffic model run illustrate the need for a western node in Valley Center.

We believe this project, because of its proximity to existing infrastructure, the regional transportation network, and location near the expanding job base, will thoughtfully allow Valley Center to meet some of its housing needs with consideration to the regional growth patterns. This would help handle some of the growth issues surrounding the County and help Valley Center to alleviate traffic in the downtown areas by locating some future growth by Interstate 15, thereby preserving its community character.

Thank you for your thoughtful consideration of this request.

Sincerely,



JOSEPH E. SCANGA, PRINCIPAL
CALTHORPE ASSOCIATES

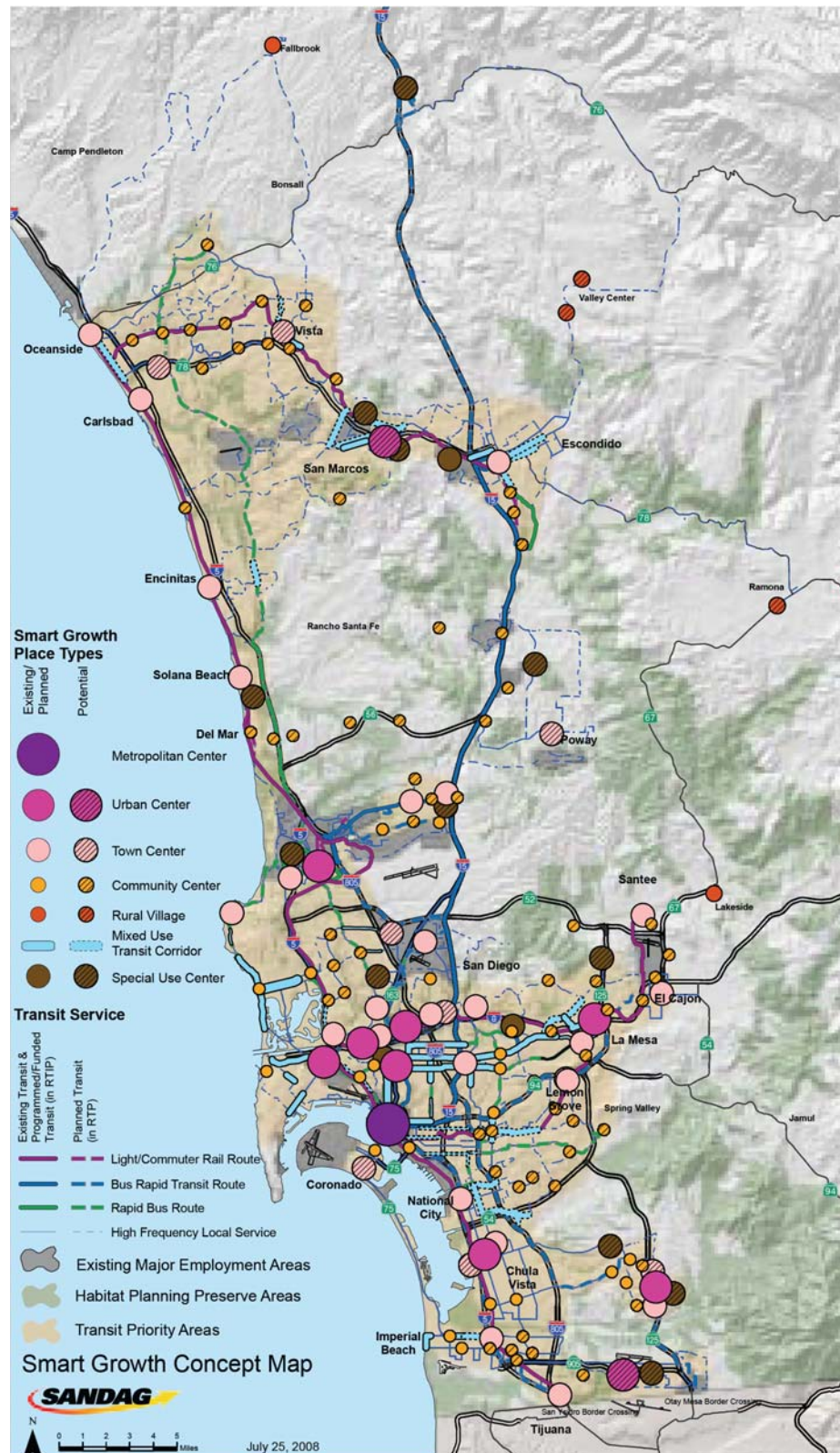
Attachment: SANDAG Traffic Model Run 8/27/2009

2095 ROSE STREET, SUITE 201 BERKELEY, CA 94709 USA 510 548-6800 TEL 510 548-6848 FAX WWW.CALTHORPE.COM
PETER CALTHORPE DEHAN GLANZ TIMOTHY ROOD JOSEPH SCANGA

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APPENDIX D: • SANDAG Smart Growth Concept Map w/Transit Priority Areas



APPENDIX E: California General Plan Guidelines 2003, Chapter 2 Excerpt

Downloaded 28Nov09 from http://www.opr.ca.gov/planning/publications/General_Plan_Guidelines_2003.pdf

STATE OF CALIFORNIA

**General Plan
Guidelines**

2003



GOVERNOR'S OFFICE OF PLANNING AND RESEARCH

CHAPTER 2

Sustainable Development and Environmental Justice

All statutory references are to the California Government Code unless otherwise noted.

This chapter addresses the incorporation of environmental justice into the general plan. While environmental justice is not a mandatory topic in the general plan, there is a strong case for its inclusion. Federal and state anti-discrimination statutes, which have a long history, apply to planning as they do to other policy areas. As discussed below, environmental justice issues are often related to failures in land use planning. Planning policies that promote livable communities and smart growth can be tools for achieving environmental justice. In keeping with that idea, this chapter begins with a discussion of sustainable development. Sustainable development provides a context for understanding how environmental justice fits into land use planning. This chapter concludes with a discussion of transit-oriented development, which has important implications for environmental justice and sustainable development.

SUSTAINABLE DEVELOPMENT

Sustainable development encompasses established principles of good planning and advocates a proactive approach to future development. The basic concept of sustainability is meeting the needs of current generations without compromising the ability of future generations to meet their own needs. Sustainable development can be further defined as promoting the "three E's:" environment, economy, and equity. For example, a decision or action aimed at promoting economic development should not result in decreased environmental quality or social inequity. Ensuring that a given decision or action promotes all three E's is often referred to as the triple bottom line.

What does sustainable development look like on the ground? In a community that is developing sustainably, the neighborhood is the basic building block of urban design and is characterized by walkability, mixed-use development, and mixed-income housing. Walkability is a function of compactness and density. Attention to streetscape and public spaces is a key design element in creating desirable places to live. Such neighborhoods,

also known as neo-traditional or new urbanist development, are more likely to support efficient transit systems. The character and function of each neighborhood is then placed properly within its regional setting. This approach to planning, from the neighborhood to the regional level, is often referred to as smart growth.

Sustainable development goals and policies include the following:

- ◆ Decrease urban sprawl.
 - Promote compact, walkable, mixed-use development.
 - Promote infill development.
 - Restore urban and town centers.
 - Limit non-contiguous (leafrog) development.
 - Promote transit-oriented development.
- ◆ Protect open space and working landscapes.
 - Conserve prime agricultural lands.
 - Conserve lands of scenic and recreational value.
 - Use open space to define urban communities.
- ◆ Protect environmentally sensitive lands.
 - Conserve natural habitat lands.
 - Preserve habitat connectivity.
 - Minimize impact to watershed functions, including water quality and natural floodways.
 - Avoid natural hazards.
- ◆ Create strong local and regional economies.
 - Encourage jobs/housing balance.
 - Provide adequate housing for all income levels.
 - Encourage the expansion of telecommunications infrastructure.
 - Provide a fair and predictable land use planning process.
- ◆ Promote energy and resource efficiency.
 - Support energy- and resource-efficient industries.
 - Promote waste reduction programs, such as recycling.

Chapter 2: Sustainable Development and Environmental Justice

- Promote alternative forms of transportation.
- Promote energy- and resource-efficient buildings.
- ◆ Promote equitable development.
 - Require fair treatment in the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.
 - Promote mixed-income housing development.
 - Promote alternative transportation options to increase access.
 - Promote economic opportunity for all segments of the community.
 - Protect culturally significant sites.

The comprehensive, integrated, and long-term nature of the general plan makes it an ideal vehicle for implementing local sustainable development goals. When preparing or amending a general plan, sustainable development policies or programs may be addressed within the various elements of the plan. For example, policies on minimizing urban sprawl may be addressed in the land use element; policies for prime agricultural land preservation may be introduced in the open-space element; and the transportation element may be used to address public transportation concerns.

The principles of sustainable development may also guide the overall goals of the general plan. For example, Santa Clara County's general plan addresses four themes of sustainable development in its general plan vision: social and economic well-being, managed and balanced growth, livable communities, and responsible resource conservation. The general plan's goals for social and economic well-being include achieving "a healthy, diverse economy and adequate employment opportunities" by reaching "sustainable levels of growth and job formation consistent with planned improvements in housing, transportation, urban services, and maintenance of environmental quality." Goals for the other themes also reflect the necessary balance of social, environmental, and economic objectives that characterizes sustainable development.

General plans can work in concert with other plans and policy documents to promote sustainability. For instance, the City of Pasadena uses a quality-of-life index to identify, measure, and set quality-of-life indicators for a healthier, more sustainable city. "The Quality of Life in Pasadena" index combines information from the city's general plan and other documents and addresses such topics as the environment, health, education, transportation, the economy, and employment. The City of Oakland includes in each staff report to the City Council a discussion of how the proposed action would

promote the three E's of sustainability. The concept and application of sustainable development is evolving through creative interpretation and use.

Jobs/Housing Balance

One issue that cuts across several elements of the general plan is jobs/housing balance. Jobs/housing balance compares the available housing and available jobs within a community, a city or other geographically defined subregion. Relying on the automobile as our primary means of transportation has encouraged patterns of development and employment that are often inefficient. Suburbanites routinely commute 25 miles or more from their homes to their places of employment. Public transit is impractical for most people because jobs are dispersed throughout employment regions and housing density is too low. With residential and commercial land uses often separated by long distances, people must make multiple car trips to perform routine errands, such as grocery shopping, going to the bank, eating out, going to the dentist, etc.

Jobs/housing balance is based on the premise that commuting, the overall number of vehicle trips, and the resultant vehicle miles traveled can be reduced when sufficient jobs are available locally to balance the employment demands of the community and when commercial services are convenient to residential areas. Planning for a jobs/housing balance requires in-depth analyses of employment potential (existing and projected), housing demand (by income level and housing type), new housing production, and the relationship between employment opportunities and housing availability. Other factors, such as housing costs and transportation systems, must also be evaluated.

Improving the jobs/housing balance requires carefully planning for the location, intensity, and nature of jobs and housing in order to encourage a reduction in vehicle trips and miles traveled and a corresponding increase in the use of mass transit and alternative transportation methods, such as bicycles, carpools, and walking. Strategies include locating higher-density housing near employment centers, promoting infill development, promoting transit-oriented development, actively recruiting businesses that will utilize the local workforce, developing a robust telecommunications infrastructure, developing workforce skills consistent with evolving local economies, and providing affordable housing opportunities within the community. Jobs-housing provisions most directly affect the land use, circulation, and housing elements.

The question of a jobs/housing balance on the scale of a community should not be confused with the design of mixed-use, walkable neighborhoods. Planning for a

APPENDIX F: Written Comments Received

Comments from Patsy Fritz

To: VCCPG Subcommittee, Accretive PAA request:

Based on the following deficiencies, VCCPG should vote to NOT SUPPORT the applicant's request for a Plan Amendment Authorization and should advise DPLU Director Eric Gibson of its recommendation that the Director deny the request.

- (A) it is NOT consistent with the General Plan Regional Land Use Element;
- (B) it is NOT consistent with the General Plan Update Maps (Referral and Draft Use) and would change the future land use designation for the property;
- (C) it is NOT consistent with the Valley Center Community Plan;
- (D) if approved it would result in SPOT ZONING of urban density and commercial use in an isolated area of rural, agricultural lands;
- (E) it is located BEYOND the Urban Limit Line and the area is not classified for near-term urban development;
- (F) the Regional Land Use Category would need to be changed to meet the definition of Policy I.1 Current Urban Development (CUDA);
- (G) it proposes a commercial use OUTside Valley Center's Country Towns; see Valley Center Commercial Land Use Policy Eight;
- (H) valuable farmland would be taken out of production. Despite the applicant's slur of "marginal agriculture", the land's good field drainage, optimal microclimate of year-round moderate temperature with the protection of down-slope drainage in rare winter temperatures below 32 degrees F, and the absence of air pollution - all continue to provide viability for agriculture. While field irrigation has been cut back due to water conservation, greenhouse applications and low-water-use crops continue to be economically viable;
- (I) current residential/agricultural use is consistent with Valley Center's community character, with residents readily accepting farm operations as the norm. Placing urban-level development within a historic farming community can only lead to conflicts between transplanted city-dwellers who object to the sounds, sights and smells of rural ranching activity and the farmers who know how to live with this;
- (J) because of its existing low-density use, varied agriculture, natural vegetation, gullies and seasonal streams, and year-round water sources (farm ponds), this area has been a haven for wild creatures large and small, who live in concert with their human neighbors. This tranquility would be destroyed by the noise, polluted run-off from asphalt and hard surfaces, high night-time light level and human and vehicular activity endemic to an urban environment;
- (K) despite the applicant's claim to developing a "sustainable" community, this sells the sizzle, not the steak. One could not imagine a LESS sustainable community! It has no services. This high-density urban development would simply be a bedroom community for commuters. It is way outside SANDAG's definition of "smart growth," and is totally devoid of infrastructure;
- (L) there are no jobs, and no provision for jobs. (possible: fast-food server, barista, or grocery bagger); Mixed-use "store front" businesses will not meet the mortgage payments needed..
- (M) there is no sewer service (despite the applicant's claim) and no available capacity at the Moosa Treatment Plant to the south. The Moosa Treatment Plant would have to be expanded with treatment upgraded to tertiary. **Despite this possibility, there is not now, nor will there be, additional DISPOSAL CAPACITY for the 450,000 gallons of treated effluent per day. Per VCMWD it must be disposed of on the applicant's land.** The applicant has NO LAND FOR THIS.

The California Regional Water Quality Control Board requires 84 days of wet-weather winter storage for treated effluent when irrigation is not permitted: **10 to 13 acres of**

APPENDIX F: Written Comments Received (cont.)

storage ponds (depending on depth) will be needed. In addition, **126 to 168 acres of agriculture/sprayfields** (total acreage depends on soil absorption) would be needed in perpetuity, to dispose of the treated effluent after wet weather ceases. The land must be permanently dedicated to wastewater disposal so that it could not be sold, (which would leave the treatment plant without a disposal location - and thus disable the sanitation system supporting the homes.)

For environmental reasons the applicant could not get an NPDES discharge permit from the RWQCB to dispose of treated wastewater in the creeks to the west and south of the proposed development. There is NO commercial market for treated wastewater. Note that the reclaimed water would reach a level of 850 - 950 TDS (total dissolved solids) and is inconsistent with avocado production (and most marketable crops) due to high salt level;

- (N) water supply restriction: The property lies within the Valley Center Municipal Water District's (VCMWD) service area. Effective July 1, 2009 and pursuant to a vote of its Board of Directors on June 15, 2009 the district declared "Water Supply Shortage Response Level 2 - Water Supply Shortage Alert Condition" which requires, among other obligations by ratepayers, that developers prepare a WATER CONSERVATION PLAN which must be approved by VCMWD, under the following terms and conditions from VCMWD Ordinance No. 2009-04:

Sec. 230.5 WATER SUPPLY SHORTAGE RESPONSE LEVEL 2 - WATER SUPPLY SHORTAGE ALERT CONDITION

(d) Upon the declaration of a Water Supply Shortage Response Level 2 condition, no new statements of availability (including, but not limited to Project Facility Availability "PFA", Project Service Commitment "PFC", and District Facility Conceptual Approvals and Agency Clearance Letters) shall be issued for development projects consisting of but not limited to major subdivisions and major commercial developments, or large multifamily developments requiring meter capacity in excess of four (4) equivalent 3/4-inch meters for non-fire fighting requirements unless the applicant(s) provides substantial evidence of an enforceable commitment that the net water demands for the project from the District will be offset prior to the provision of any new water meter(s) for the project. Net water demand determination shall be based upon a water conservation plan prepared by the applicant and approved by the District. Offset of demand may be achieved through:

1. The reallocation of existing base year meter allocation assigned to the property being developed and owned by the applicant;
2. The development of on-site local potable and non-potable supplies which offset an existing or future demand for imported water; or
3. Participation in a local or regional net demand offset program or specific project.

(NOTE: Simply put, this is a "no net gain" water policy for development. You get only the water you're using now, and it must be non-interruptible water. Approvals for service will be limited to the level now used on property owned by the applicant (not property that is optioned by the applicant).

Further, water allocation transfers from one property to another must retain a minimum of 10 units per month (7,480 gallons) as a continued allocation to the original parcel, per "3/4-inch connection equivalent unit."

ACCRETIVE HAS NOT SUBMITTED THE VCMWD WATER ALLOCATION LETTERS FOR EACH PARCEL TO VCCPG FOR REVIEW. Without those, there is no indication water could or would be available.

- (O) despite the application's claim, there is no natural gas service to this area. I quote Sempra Energy's representative, Sabra Moallem: "We don't supply gas east of I-15, west of Lilac Road, and north of Old Castle Road near Circle R and Castle Creek Resort. The closest service we provide is about 5 miles east, 6 miles west and 4 miles southwest."
- (P) proposed road "3A" from West Lilac Road diagonally southwest to Old Highway 395, has been consistently REJECTED by the Valley Center Community Planning Group, as recent as January, 2009 in its report on the Mobility Element of the General Plan Update. Any

APPENDIX F: Written Comments Received (cont.)

such road would violate private property (property not owned/options by the developer) and destroy existing extensive agriculture operations unique to the microclimate (e.g., Western Cactus Enterprises).

- (Q) the total lack of infrastructure and urban services at this location represents upward of \$400 million needed for the costs of roads, waterlines, sewer facilities with reclaimed water storage and disposal, underground power and gas lines, storm drain ponds and disposal conduits under Old Highway 395 to the San Luis Rey basin, fire and Sheriff's stations, schools and community center ... \$200,000 per home (for 2,000 homes),

This does NOT include the home buyers' cost of their LAND AND HOUSE - it's just for infrastructure! There is simply not the economy of scale to support a small urban community in this remote rural area. Despite the blithe suggestion by the applicant that a CFD - "Community Facilities District - may be established" to finance all these needs, the developer's minimal investment in the land to be used as security for financing precludes any possibility of bonds being issued. Certainly the Board of Supervisors would be roundly criticized for supporting or participating in any such risky financial venture. Furthermore, Valley Center Community Water District will not accept Community Facilities District Financing for any of its infrastructure costs: water OR sewer.

Results? NONE of these would be "affordable" or "workforce" homes. Bond repayment requirements added to home owners' property taxes would constitute a crushing load, leading to foreclosure. Mello-Roos payments (CFD) not made by defaulting property owners would be spread among all others in the community, thus increasing their burden. This region has seen more than its share of tragic foreclosures.

- (R) the developer's claim that density can be shifted from the Valley Center Villages to these rural acres is bogus. It invalidates 12 years' work on GP2020/General Plan Update AND ITS EIR (just to hand the developer \$78 million in entitlements)
- (S) Accretive is requesting a "Study Area" within the General Plan Update process. "On July 23, 2008 the County Board of Supervisors directed the Chief Administrative Officer to take the following actions related to this project: **'Remove the Road 3A SPA from the General Plan Update discussion completely**, as it will proceed, if at all, on a separate track as a separate GPA.
- (T) Placing 8,000 new residents and their vehicles between existing Valley Center residents and the I-15 freeway presents a BOTTLENECK, preventing escape in the event of major fires.

Therefore, VCCPG should NOT SUPPORT the applicant's request for a Plan Amendment Authorization.

Respectfully submitted,

Patsy Fritz

APPENDIX F: Written Comments Received (cont.)

Comments from Jonathan Vick

"Sustainable development is a program to change the process of economic development so that it ensures a basic quality of life for all people, and protects the ecosystems and community systems that make life possible and worthwhile" (International Council for Local Environmental Initiatives et al. 1996).

"The application for approval of a PAA for Accretive is a life style vs. an economic decision. The proponents and their supporters appear to have economic interests motivating them, especially the developer who expects to make buckets of money from this venture and is willing to fund our politicians to achieve his goals. Most residents of VC came to live here because this is the lifestyle we want: rural, 2 acre zoning, agricultural, distant from the freeways. This is why we wrote the Community Plan and GPU update to support these goals. The proposed project is contrary to what residents want and have spent 10 years planning for VC.

The developer's argument about how this project will reduce the traffic on VC roads is specious; this project will have no significant impact on traffic on VC roads, other than to make the traffic on I-15 worse.

This proposal is not only contrary to our Community Plan and General Plan update, it also claims to be "sustainable". There is nothing about this proposal that makes it sustainable; to the contrary, it is an excellent example of urban sprawl in an area that already does not have adequate resources (i.e. water) to support its current residents and farms; our supply of water has been cut and future supplies are uncertain. Just calling it "sustainable" does not make it so.

The SD General Plan reference to State Bill 32 (AB32): Sustainability has as its underlying premise the conservation of natural resources and sustainable development of lands and infrastructure. This includes environmental sustainability: conserving air, water, land, soils, minerals, natural habitat, and energy, and economic sustainability including creating good jobs, income, and financial resources. This proposal will deliver none of this.

To be sustainable, this proposed project would have to offer 2,500 permanent jobs, a reservoir to collect water adequate for 1700+ homes, an energy generation system to provide the needed electricity, and protection of wildlife corridors. It offers none of these.

This project is contrary to the goals and plans of VC. The proponent has said that if the PAA is approved he will spend \$2 million preparing for the next phase. This is not a benign approval that "just gives the developer the right to make an application" as he states. The approval of this PAA will start a process where the developer will spend substantial amounts of money and will then feel entitled to further approvals. If this PAA proposal is contrary to the Community Plan and the GP Update, we should stop it now and not approve it".

Best regards,

Jon Vick
Member VCCPG
Member PG Circulation S/C
Member PG N. Village S/C
Member & Chair, PG S. Village S/C